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C O N F I D E N T I A L JAKARTA 8643

E.O. 11652: GDS

TAGS: PLOS

SUBJECT: LOS-IRAN

1. SUMMARY. IRAN SEEMS HEADED IN DIRECTION OF ACQUIESCING IN UNIMPEDED PASSAGE OF STRAITS, BUT IS TAKING HARD LINE ON DEEP SEABEDS. END SUMMARY.

2. AT LUNCHEON JUNE 29 WITH IRANIAN FONOFF LEGAL ADVISER AND HEAD OF LOS DEL KAZEMI, ACCOMPANIED BY BAVAND, DEPT ASST LEGAL ADVISOR AND LOS REP OXMAN AND RADM MORRIS REVIEWED MAJOR OUTSTANDING ISSUES IN LOS CONFERENCE.

3. STRAITS: KAZEMI SEEMED ALL BUT RECONCILED TO LOS CONFERENCE AGREEMENT TO UNIMPEDED PASSAGE OF STRAITS AS PART OF OVERALL PACKAGE, AND BAVAND PREVIOUSLY NOTED LOW-KEY NATURE OF IRANIAN OPPOSITION, KAZEMI SHOWED GREAT INTEREST IN ARGUMENTS REGARDING IRAN'S LINES OF COMMUNICATIONS TO FAR EAST AND TO SUEZ, AND SEEMED TO AGREE THAT SUCCESS OF IRANIAN DEVELOPMENT PLANS WOULD MAKE THESE ALL THE MORE VITAL FOR ECONOMIC AND STRATEGIC REASONS. HE ALSO ACKNOWLEDGED THAT ROUTES THROUGH HORMUZ RUN THROUGH OMANI CLAIMED WATERS, AT SAME TIME, BAVAND AND TO SOME EXTENT KAZEMI, NOTED IRAN'S EXISTING SECURITY CONCERNS IN PERSIAN GULF (AN APPARENT RPT APPARENT REFERENCE TO DESIRE TO EXCLUDE FOREIGN WARSHIPS), AND NEED TO BALANCE THESE INTERESTS.

4. DEEP SEABEDS: KAZEMI SAID REVISED SNT DESTROYED THE DREAM OF THE COMMON HERITAGE OF MANKIND. IT GAVE THE INDUSTRIAL STATES 50 PERCENT OF THE DEEP SEABEDS, AND NO ASSURANCE THAT THE INTERNATIONAL COMMUNITY (I.E. THE ENTERPRISE) COULD EVER EXPLOIT THE OTHER 50 PERCENT. WE EXPLAINED THE ADVANTAGES OF THE SYSTEM TO IRAN, WHICH MIGHT WISH TO ENTER DEEP SEABED MINING AT SOME POINT. KAZEMI ACKNOWLEDGED THIS, BUT RETURNED TO COMMON HERITAGE THEME.

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HE SAID AUTHORITY HAD NO RIGHT TO PLAN EXPLOITATION, AND DECIDE HOW MUCH WOULD BE EXPLOITED AND BY WHOM. AFTER OXMAN AND KAZEMI EXPLORED PURPOSES OF PLANNING AND RELATIONSHIP TO ARTICLE 9, INCLUDING PRODUCTION CEILING, BAVAND NOTED THAT HYDROCARBONS MIGHT BE FOUND IN THE AREA, AND ALLUDED TO ARTICLE 14(RESOURCE DEPOSITS WHICH LIE ACROSS LIMITS OF NATIONAL JURISDICTION) TO SUPPORT VIEW THAT THIS POSSIBILITY EXISTS. OXAMN NOTED THAT CANADIAN-IRISH DEFINITION OF CONTINENTAL MARGIN SPECIFICALLY DESIGNED TO PALCE HYDROCARBONS UNDER COASTAL STATE JURISDICTION, AND THAT CHANCES OF FINDING EXPLOITABLE HYDROCARBONS BEYOND THE MARGIN AND ECONOMIC ZONE VERY REMOTE. KAZEMI DID NOT COMMENT ON COUNCIL, AND SAID MANY STATES WOULD HAVE CONSTITUTIONAL DIFFICULTIES WITH PROVISIONAL APPLICATION OF THE TREATY.

5. KAZEMI LISTENED WITHOUT COMMENT TO ARGUMENTS ON NEED TO PRESERVE HIGH SEAS STATUS OF ECONOMIC ZONE; AVOID COASTAL STATE CONSENT FOR NON-RESOURCE SCIENTIFIC RESEARCH IN THE ZONE, AND ESTABLISH EFFECTIVE DISPUTE SETTLEMENT SYSTEM. HE SEEMED INTERESTED IN ARGUMENT THAT EXCLUDING ECONOMIC ZONE FROM HIGH SEAS MAY SET STAGE FOR 200-MILE TERRITORIAL SEA CLAIMS.

RIVES